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IN THE

Supreme Court of the United States

OCTOBER TERM, 1959

NO. 137

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CHARLOTTE ANDREWS,
Plaintiff and Appellant,

vs.

THE CITY OF SAN BERNARDINO, *et al.*,
Defendants and Appellees.

CHARLOTTE ANDREWS,
Plaintiff and Appellant,

vs.

THE CITY OF SAN BERNARDINO, *et al.*,
Defendants and Appellees.

Appeal to the Supreme Court of the United States
From the California State Appellate Courts.

JURISDICTIONAL STATEMENT.

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Appeal to the Supreme Court of the United States From the California State Appellate Courts.

I.

JURISDICTIONAL STATEMENT.

Appellant Charlotte Andrews, on her own behalf, and others similarly situated, appeals to the Supreme Court of the United States from the final judgment or order of the Supreme Court of the State of California, which was entered on January 13, 1960, which denied her petition for hearing in said Court, to review decisions of the Court of Intermediate Appeals of said State, which affirmed certain orders of the State Trial Court of First Instance, hereinafter specified. Two cases involving the same subject matter and closely related questions are covered by a single jurisdictional statement. Notices of Appeal to the

Supreme Court of the United States were filed with said court of Intermediate Appeals April 12, 1960, and served upon all adverse parties on the same date, all within ninety days.

A. Opinions Below.

Attached hereto as Appendix "B" are copies of the opinions which have been rendered by the State Court of First Instance (pp. 24-29), Courts of Intermediate Appeals, (pp. 30-41), and Supreme Court, (p. 42), reference to which will be necessary in appellant's presentation of the grounds which it is contended that the federal questions herein are substantial.

B. Jurisdiction.

This appeal is taken pursuant to 28 U. S. C. A. (1257 (2) and (3)). The appeal pertains to certain ordinances and resolutions of a State Municipal Corporation, exercised pursuant to delegated state legislative authority and endowed with the force of law, which ordinances and resolutions were enacted in violation of due process, in denial of the equal protection of the laws, and in abridgment of the privileges of electors in the exercise of their civil and political rights, in deprivation and adversely to the property rights of Appellant.

C. Questions Presented.

1. May a State Municipal Corporation induce its electors, United States Citizens, to exercise their franchise to vote on the question of whether said Municipal Corporation shall create or activate a local Redevelopment Agency to qualify to acquire federal funds and condemn private property; and after said electors in reliance

on the inducement of said Municipal Corporation, in a free election, involving their political and civil rights, voted against the creation of such an Agency; may said Municipal Corporation, contrary to law and popular election, and the directive of the voters, abridge said electors privileges as United States citizens, and deny them the equal protection of the law, by rendering the votes cast ineffective, and nevertheless activate and create a local Redevelopment Agency?

2. May a State Municipal Corporation in the making of factual determinations IN AN ADJUDICATORY PROCEEDINGS PROVIDED BY LAW, deprive property owners of the right to present evidence, contrary to procedural due process, wherein said property owners were thereby prevented by said State Municipal Corporation from opposing on the merits, a Redevelopment Plan submitted by a local Redevelopment Agency to qualify said Agency to acquire federal funds to condemn appellee's property?

3. Does a Municipal Corporation comply with the due process clause of the Fourteenth Amendment by conducting an adjudicatory proceedings which directly and adversely affects the legally protected property rights of interested parties, pursuant to a notice of hearing in a single newspaper publication, which under the circumstances at bar, prohibited the affected parties from exercising the right to properly prepare themselves in the protection of their property rights?

4. May a State Municipal Corporation, in its official capacity as a legislative body, purposely represent that it was exercising legislative powers to reject evidence, offered in opposition to a final Redevelopment Plan it adopted by Ordinance, to condemn certain prop-